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13 UNITED STATES DISTRICT COURT  
14 NORTHERN CALIFORNIA OF CALIFORNIA

15 NIKKI POOSHS,

16 Plaintiff,

17 vs.

18 PHILIP MORRIS USA, INC., et al.,

19 Defendants.

Case No. 4:04-cv-01221-PJH

FRCP 41(a)  
STIPULATION FOR DISMISSAL  
OF DEFENDANT BROWN &  
WILLIAMSON HOLDINGS, INC. FKA  
BROWN & WILLIAMSON TOBACCO  
CORPORATION, WITHOUT  
PREJUDICE

20 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, IT IS HEREBY  
21 STIPULATED by the affected parties, Plaintiff and Defendant, that all claims against  
22 Defendant BROWN & WILLIAMSON HOLDINGS, INC. FKA BROWN & WILLIAMSON  
23 TOBACCO CORPORATION shall be, and hereby are, dismissed without prejudice. Each party  
24 to bear its own fees and costs.

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FRCP 41(a) STIPULATION FOR DISMISSAL OF DEFENDANT BROWN & WILLIAMSON HOLDINGS,  
INC. FKA BROWN & WILLIAMSON TOBACCO CORPORATION, WITHOUT PREJUDICE

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### Attorneys for Plaintiff

Dated: February 29, 2012

## JONES DAY

**By:**

**Peter N. Larson**

**Attorneys for Defendant**

**BROWN & WILLIAMSON HOLDINGS, INC.**  
**FKA BROWN & WILLIAMSON TOBACCO**  
**CORPORATION**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.** All claims against Defendant BROWN & WILLIAMSON HOLDINGS, INC. FKA BROWN & WILLIAMSON TOBACCO CORPORATION are hereby dismissed without prejudice, each party to bear its own fees and costs, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

March 2  
Dated: ~~February~~ \_\_\_\_\_, 2012

**By:**

